

UNITED STATES DISTRICT COURT

## DISTRICT OF MAINE

LATOYA EARLES, Personal  
Representative of the Estate of Kare  
Randall,

Plaintiff

V.

No. 2:24-cv-00308-LEW

SAGadahoc County, *et al.*,

## Defendants

## ORDER ON PLAINTIFF'S MOTION TO DISMISS

On August 29, 2024, Plaintiff Latoya Earles filed this civil action to obtain relief for the death of her son, Kare Randall, while he was in Defendants’ care and custody. On January 16, 2025, I issued an Order denying Alternative Correctional Healthcare’s (“ACH”) motion to dismiss and Plaintiff’s related motion to stay, both of which motions concerned Plaintiff’s need to attend to Maine medical malpractice screening procedures before proceeding with a wrongful death claim against. I denied the motion to dismiss and also the motion to stay, concluding that proceeding on the claims against the remaining defendants was preferable to a prolonged stay of the entire case. *See* Order (ECF No. 30).

The matter is now before the Court on Plaintiff’s Motion to Dismiss Without Prejudice Pursuant to Fed. R. Civ. P. 41(a)(2). Finding that the case is still in the early stages, such that the remaining defendants will not experience “legal prejudice” if this matter is dismissed without prejudice, and considering dismissal without prejudice to be

preferable to a prolonged stay of court proceedings, Plaintiff's Motion to Dismiss (ECF No. 35) is GRANTED and the case is dismissed without prejudice. Plaintiff's more recent Motion to Amend (ECF No. 40) is DENIED AS MOOT based on the dismissal of the action.

SO ORDERED.

Dated this 12th day of May, 2025.

/s/ Lance E. Walker  
Chief U.S. District Judge